

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 16-2365

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FEDERAL TRADE COMMISSION;  
COMMONWEALTH OF PENNSYLVANIA,  
Appellants

v.

PENN STATE HERSHEY MEDICAL CENTER;  
PINNACLE HEALTH SYSTEM

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On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(M.D. Pa. No. 1-15-cv-02362)  
District Judge: Honorable John E. Jones, III

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Argued July 26, 2016  
Before: FISHER, GREENAWAY, JR., and KRAUSE, *Circuit Judges*.

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JUDGMENT

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This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was argued on July 26, 2016.

On consideration whereof, it is now hereby ORDERED and ADJUDGED that the order of the District Court entered May 9, 2016, be and the same is hereby REVERSED.

The cause is REMANDED and the District Court is DIRECTED to

PRELIMINARILY ENJOIN the proposed merger in question pending the outcome of the administrative adjudication before the Federal Trade Commission. All of the above in accordance with the opinion of this Court.

Costs taxed against Appellees.

Attest:

s/Marcia M. Waldron  
Clerk

Dated: September 27, 2016